

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES AND ENERGY**

**Call to Order:** By **CHAIRMAN GREG LIND**, on March 14, 2007 at 3:00 P.M., in Room 317-A Capitol.

**ROLL CALL**

**Members Present:**

Sen. Greg Lind, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzenried (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 557, 3/9/2007; HB 526, 3/8/2007;  
HB 166, 3/8/2007  
Executive Action: None.

00:00:07 Chairman Lind

**HEARING ON HB 557**

**Opening Statement by Sponsor:**

00:03:11 **REP. RALPH HEINERT (R), HD 1**, opened the hearing on **HB 557**, Revise criteria for zoning impact on sand, gravel, and asphalt operations.

**Proponents:**

00:08:42 Michael Kakuk, Montana Contractors Association

00:11:51 Mike Newton, Fisher Sand and Gravel

00:17:14 Bruce Tutvedt, Tutvedt Pit

**EXHIBIT (nas54a01)**

00:20:11 Jerry Bowser, Old Castle's Material Company

**EXHIBIT (nas54a02)**

00:25:17 Bob Spoklie, Spoklie-Hoover Pit

**EXHIBIT (nas54a03)**

00:28:29 John Youngberg, Montana Farm Bureau

00:29:16 Katie Kassmier, Montana Farmers Union

00:29:30 Jon Bennion, Montana Chamber of Commerce

00:29:59 Joe Aline, Shumaker Trucking and Excavating

00:32:01 Basil Jacobson, United Material's of Great Falls

00:33:00 Don Allen, Western Environmental Trade Association  
(WETA)

00:34:00 Cary Hegreberg, Montana Contractors Association

**EXHIBIT (nas54a04)**

**Opponents:**

00:36:44 Jerry Nix, Self

**EXHIBIT (nas54a05)**

**EXHIBIT (nas54a06)**

00:43:20 Todd Spangler, Self

**EXHIBIT (nas54a07)**

00:46:05 Tim Davis, Montana Sonoran Institute

00:48:42 Monica Jungster, Business Owner

00:51:13 Ann Fagre, Self

00:53:18 Tom Clark, Self

00:56:01 Bill Allegro, Self

**EXHIBIT (nas54a08)**

**EXHIBIT (nas54a09)**

00:58:03 Grant Luark, Self

01:00:30 Janice Schaberg, Self

01:02:30 Janet Ellis, Montana Audubon

**EXHIBIT (nas54a10)**

01:04:03 Linda Stoll, Missoula County Commissioners

**EXHIBIT (nas54a11)**

01:04:47 Mark Aagenes, Montana Trout Unlimited

01:05:29 Carol Kinney, Self

01:07:34 Jeff Barber, Montana Environmental Information Center

01:08:34 Bill Bahn, Self

01:10:59 Jack Gillespie, Self

01:11:53 Gailyn Wood, Self

01:17:31 Molly Herrin, Self

01:19:16 Dan Fagre, Self

01:21:24 Rep. Mike Jopek

**Informational Testimony:**

01:23:59 Earl Blattie, Montana Association of Counties

**Questions from Committee Members and Responses:**

01:26:25 Sen. Tropila to Cary Hegreberg, Montana Contractors Association

01:29:33 Sen. Tropila to Rep. Mike Jopek

01:31:54 Sen. Perry to Bruce Tutvedt, Tutvedt Pit

01:35:33 Sen. Perry to Tom Clark

01:38:06 Sen. Lind to Rep. Heinert

01:38:59 Sen. Lind to Michael Kakuk, Montana Contractors Association

01:39:39 Sen. Lind to Tim Davis, Montana Sonoran Institute

01:41:46 Sen. Lind to Cary Hegreberg, Montana Contractors Association

01:43:58 Sen. Perry to Cary Hegreberg, Montana Contractors Association

01:44:36 Sen. Perry to Earl Blattie, Montana Association of Counties

01:47:20 Sen. Kaufmann to Linda Stoll, Missoula County Commissioners

01:50:20 Sen. Kelly to Bruce Tutvedt, Tutvedt Pit

01:52:23 Sen. Kelly to Cary Hegreberg, Montana Contractors Association

**Closing by Sponsor:**

Rep. Heinert

**HEARING ON HB 526**

**Opening Statement by Sponsor:**

01:57:14 **REP. GEORGE GROESBECK (D), HD 74**, opened the hearing on **HB 526**, Revise territorial integrity act.

**EXHIBIT** (nas54a12)

**Proponents:**

01:59:23 Doug Hardy, Montana Electric Cooperatives' Association

**EXHIBIT** (nas54a13)

02:06:43 John Fitzpatrick, Northwestern Energy (NWE)

02:07:08 Gary Forester, Montana Dakota Utilities (MDU)

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:07:43 Sen. Kaufmann to Gary Forester, MDU

02:08:46 Sen. Kaufmann to Doug Hardy, Montana Electric Cooperatives' Association

02:09:10 Sen. Gebhardt to Rep. Groesbeck

02:10:06 Sen. Tropila to Rep. Groesbeck

02:11:14 Sen. Tropila to Doug Hardy, Montana Electric Cooperatives' Association

02:11:44 Sen. Lind to Doug Hardy, Montana Electric Cooperatives' Association

02:15:51 Sen. Gebhardt to Doug Hardy, Montana Electric Cooperatives' Association

02:16:54 Sen. Gebhardt to John Fitzpatrick, NWE

02:17:27 Sen. Tropila to Doug Hardy, Montana Electric Cooperatives' Association

02:18:30 Sen. Lind

**Closing by Sponsor:**

02:18:43 Rep. Groesbeck

**HEARING ON HB 166**

**Opening Statement by Sponsor:**

02:20:12 REP. HOLLY RASER (D), HD 98, opened the hearing on HB 166, Extend biodiesel tax credit.

**EXHIBIT (nas54a14)**

**Proponents:**

02:26:19 Brian Spangler, Department of Environmental Quality (DEQ)

**EXHIBIT (nas54a15)**

02:27:45 Ronna Alexander, Montana Petroleum Marketers and Convenience Store Association

02:28:32 Matt Elsaesser, SAVE Foundation

02:28:54 Ana Pederson, Montana Environmental Information Center

02:29:12 Rick Moore, Northern Resource Council

02:30:09 Megan Brower, Montana Farm Bureau

02:30:40 Katie Kassmier, Montana Farmer's Union

02:31:52 John Semple, Montana Grain Growers Association

02:32:10 Rep. Jerry Black

**EXHIBIT (nas54a16)**

02:32:36 Pat Torgerson, Women Involved in Farm Economics (WIFE)

02:36:44 Robin Shropshire, Helena College of Technology

02:37:49 Don Judge, Montana Chapter of Sierra Club

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:38:55 Sen. Lind to Rep. Raser

02:39:45 Sen. Kaufmann to Brian Spangler, DEQ

**Closing by Sponsor:**

02:40:21 Rep. Raser

02:41:22 Sen. Lind

**ADJOURNMENT**

Adjournment: 5:45 P.M.

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SEN. GREG LIND, Chairman

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CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

**EXHIBIT ([nas54aad.pdf](#))**